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§ 551.6 Personal hygiene.

The Warden shall make available to an inmate those articles necessary for maintaining personal hygiene.

[46 FR 59509, Dec. 4, 1981]

§ 551.7 Bathing and clothing.

Each inmate must observe the standards concerning bathing and clothing that exist in the institution as required by standards of § 551.1.

[46 FR 59509, Dec. 4, 1981]

Subpart B—Marriages of Inmates

SOURCE: 49 FR 18385, Apr. 30, 1984, unless otherwise noted.

§ 551.10 Purpose and scope.

The Warden shall approve an inmate's request to marry except where a legal restriction to the marriage exists, or where the proposed marriage presents a threat to the security or good order of the institution, or to the protection of the public. The Warden may approve the use of institution facilities for an inmate's marriage ceremony. If a marriage ceremony poses a threat to the security or good order of the institution, the Warden may disapprove a marriage ceremony in the institution.

[49 FR 18385, Apr. 30, 1984, as amended at 63 FR 5218, Jan. 30, 1998]

§ 551.11 Authority to approve a marriage.

(a) The Warden may approve the marriage of a federal inmate confined in a federal institution. This authority may not be delegated below the level of Acting Warden.

(b) The appropriate Community Corrections Manager may approve the request to marry of a federal inmate who is not confined in a federal institution (for example, a federal inmate who is in a community corrections center, in home confinement, in state custody, or in a local detention facility).

[49 FR 18385, Apr. 30, 1984, as amended at 58 FR 58248, Oct. 29, 1993]

§ 551.12 Eligibility to marry.

An inmate's request to marry shall be approved provided:

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(a) The inmate is legally eligible to marry;

(b) The inmate is mentally competent;

(c) The intended spouse has verified, ordinarily in writing, an intention to marry the inmate; and

(d) The marriage poses no threat to institution security or good order, or to the protection of the public.

§ 551.13 Application to marry.

(a) A federal inmate confined in a Bureau institution who wants to get married shall submit a request to marry to the inmate's unit team. The unit team shall evaluate the request based on the criteria identified in § 551.12. A written report of the unit team's findings, and its recommendation, shall be forwarded to the Warden for a final decision.

(b) The Warden shall notify the inmate in writing whether the inmate's request to marry is approved or disapproved. A copy of this notification shall be placed in the inmate's central file. When the Warden's decision is to disapprove the inmate's request, the notification to the inmate shall include a statement of reason(s) for that action. The Warden shall advise the inmate that the decision may be appealed through the Administrative Remedy Procedure.

(c) All expenses of the marriage (for example, a marriage license) shall be paid by the inmate, the inmate's intended spouse, the inmate's family, or other appropriate source approved by the Warden. The Warden may not permit appropriated funds to be used for an inmate marriage.

§ 551.14 Special circumstances.

(a) *Detainers and pending charges.* Staff review of a marriage request from an inmate who has a detainer(s) and/or a pending charge(s) shall include an assessment of the legal effects of the marriage on these actions. For example, an inmate could request to marry a potential witness in litigation pending against that inmate. Approving this marriage could affect the status of this litigation.

(b) *Pretrial inmates.* A pretrial inmate may request permission to marry in accordance with the provisions of this rule. Staff shall contact the court, U.S.

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Attorney, and in the case of an alien, the Immigration and Naturalization Service, to advise of the marriage request of the pretrial inmate and to request their comments.

(c) *Federal inmates not in Federal institutions.* A federal inmate who is not confined in a federal institution who wants to get married shall submit a request to the appropriate Community Corrections Manager. Prior to making a decision on the inmate's request, the Community Corrections Manager shall advise the confining authority of the inmate's request and ask that information on the criteria identified in § 551.12 be furnished.

[49 FR 18385, Apr. 30, 1984, as amended at 58 FR 58248, Oct. 29, 1993]

§ 551.15 Furloughs.

An inmate whose request to marry is approved, and who also meets the Bureau's criteria for furlough (see part 570, subpart C), may be considered for a furlough for the purpose of getting married.

§ 551.16 Marriage ceremony in the institution.

(a) The Warden may approve the use of institution facilities for an inmate's marriage ceremony. If a marriage ceremony poses a threat to the security or good order of the institution, the Warden may disapprove a marriage ceremony in the institution. The Warden may not delegate the authority to approve or to disapprove a marriage ceremony in the institution below the level of Acting Warden.

(b) Expenses for a marriage ceremony in the institution shall be paid by the inmate, the inmate's intended spouse, the inmate's family, or other appropriate source approved by the Warden. The Warden may not permit appropriated funds to be used for the marriage ceremony, except for those inherent in providing the place and supervision for the event. Upon request of the inmate, Bureau of Prisons or community clergy, or a justice of the peace may be authorized to assist in a marriage ceremony at the institution.

(1) The marriage ceremony may be performed by Bureau of Prisons or community clergy, or by a justice of the peace.

(2) Because of ecclesiastical constraints, Bureau of Prisons chaplains may decline to perform the marriage ceremony. Upon request of the inmate, a Bureau chaplain will assist that inmate in preparing for an approved marriage; for example, by providing, or arranging for an inmate to receive, pre-nuptial marriage counseling.

(c) The Warden shall require that a marriage ceremony at the institution be a private ceremony conducted without media publicity.

Subpart C—Birth Control, Pregnancy, Child Placement, and Abortion

§ 551.20 Purpose and scope.

The Bureau of Prisons provides an inmate with medical and social services related to birth control, pregnancy, child placement, and abortion. The Warden shall ensure compliance with the applicable law regarding these matters.

§ 551.21 Birth control.

Medical staff shall provide an inmate with advice and consultation about methods for birth control and, where medically appropriate, prescribe and provide methods for birth control.

§ 551.22 Pregnancy.

(a) The Warden shall ensure that each pregnant inmate is provided medical, case management, and counseling services.

(b) In order to ensure proper medical and social services, the inmate shall inform the institution medical staff as soon as she suspects she is pregnant.

(c) Medical staff shall arrange for the childbirth to take place at a hospital outside the institution.

[44 FR 38252, June 29, 1979, as amended at 59 FR 62968, Dec. 6, 1994]

§ 551.23 Abortion.

(a) The inmate has the responsibility to decide either to have an abortion or to bear the child.

(b) The Warden shall offer to provide each pregnant inmate with medical, religious, and social counseling to aid her in making the decision whether to carry the pregnancy to full term or to